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SENSITIVE

SIPDIS

STATE PASS TO DHS FOR DAVID TIEDGE AND CLINT LAMM

E.O. 12958: N/A

TAGS: [FAIR](#) [ECON](#) [PREL](#) [PGOV](#) [EI](#)

SUBJECT: U.S.-IRISH PRE-CLEARANCE PROGRESS: DEMPSEY MEETING READOUT

REF: 09 DUBLIN 0100

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¶1. (SBU) Summary: Post met with Irish Transportation Minister Dempsey on May 20 to review current progress on the implementation of DHS/CBP preclearance operations at Shannon and Dublin airports. Dempsey confirmed that he expected a delay in the opening of the preclearance facility from July 1 to July 29. The Charge d'affaires noted that the U.S. is sorting out issues related to the increase of CBP staff by 21 positions in Shannon, and that all efforts are being made to have staff in place by the end of July. It was agreed that a concerted and focused effort needs to be continued by both sides to ensure successful implementation. End Summary.

¶2. (U) Charge d'affaires, Acting DCM, and MGT Officer met with Minister of Transport Noel Dempsey and officials from the Irish Department of Transportation (DOT) and Derek Mooney, the political advisor to the Irish Defense Minister, May 20 to discuss progress on the implementation of DHS/CBP preclearance operations at Shannon and Dublin airports. The Charge emphasized that there has been a strong push from officials in Washington to ensure that things are in place for a July opening. He noted that during his visit last week to Shannon, airport officials reported a delay in the construction of the new facility, pushing the start-up date from July 1 to the end of July. The Charge noted that the new facility is very impressive, and that the small delay may actually work in the USG's favor, since there are still some staffing issues to be sorted out. He reported that we plan to increase staffing at Shannon by 21 additional positions by the end of July. The Charge summarized that the situation looks good for an end-of-July start of preclearance operations, and that he will be sure to keep the Minister and the DOT up-to-date so that there will be no surprises should any further delay develop.

¶3. (SBU) The Charge expressed support for the plan of the airport authority to have a grand opening or formal launch of preclearance operations at Shannon airport in September, including high-level attendance and significant press coverage. He noted that the timing of the arrival of the new U.S. Ambassador is still unknown but that he should be in place before the launch event. The launch would include full preclearance operations for commercial and general aviation.

¶4. (U) As for Dublin, the Charge remarked that the situation looks very good, as there is more time to finalize the facilities and staffing issues. He reported that an additional 21 CBP positions are also expected in Dublin before preclearance operations begin next year.

¶5. (U) Minister Dempsey confirmed that construction of the Shannon preclearance facilities has been delayed but is now scheduled to be completed by July 17, and could be equipped, tested, and fully operational by July 29. Dempsey expressed concern that action had

been slow on finalizing protocols and SOPs, but understood that it was to be expected during the change of administration in the U.S. He noted that much progress had been made in recent weeks. DOT emphasized that construction of the facility has focused on meeting CBP's requirements, and that the planned window for installing all CBP equipment was prior to the departure of the contractor on July 17. To that end, it is vital that CBP get everything into place for installation of their equipment, including import licenses and any other requirements for delivery, Dempsey stressed.

16. (SBU) Minister Dempsey noted with irritation that he has become aware of CBP and TSA's interaction with stakeholders, including the airport authority and airlines, without informing or including the Department of Transportation. He emphasized the importance of DOT involvement in such interactions to ensure that legal and policy considerations were being addressed as decisions were being made. He said he wanted it to be "loud and clear" that the DOT needs to be kept aware of, and involved in, every step, meeting and decision throughout the process.

17. (U) Dempsey emphasized that the Irish government wants to avoid any additional USG requirements for Shannon at this late stage. He raised, for example, concerns about U.S. Department of Agriculture's desire to bring in dogs as part of the operation. Dempsey stressed that both governments must agree on whether any additional requirements would be appropriate under Irish and EU law and how to implement such arrangements under the current agreement.

18. (SBU) Dempsey also noted that there needs to be room for negotiation on operational matters. While the U.S. believes that exceeding the EU requirements is fine (as long as the minimum requirements are met), Dempsey suggested that the new EU regulations expected later this year will be much less flexible, setting both floors and ceilings for what could be required of airlines and travelers. When issues have been raised by DOT to TSA (for example, the issue of checking shoes), the response has been "That is our

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requirement - full stop." Dempsey remarked that there needs to be room for practical compromises, noting that "in the end, if the procedures do not work for airlines and for passengers, there is no value in the program."

19. (SBU) Dempsey reported that the Irish legislation to enable the preclearance operations is currently being circulated among all government ministries for final comment and that it will go to the Parliament in June. He fully expects it to be passed by the end of June.

110. (SBU) Comment: The Irish government is working hard to ensure that the preclearance facilities are open as soon as possible. Ministers Dempsey and O'Dea (Defense Minister who could not attend the meeting but who sent his chief advisor) are hugely invested into the end of July start-up of the program. The U.S. government must be ready as well, or risk a significant rift in bilateral relations. Embassy Dublin will continue to work with DHS to expedite the resolution of the local staffing problems, which remains an obstacle to opening preclearance facilities at Shannon Airport by July 29 as now planned.

FAUCHER